

REMARKS

Claims 3, 4, 6 and 8-10 are pending in the instant application. Claims 3, 4 and 10 have been rejected. Claims 3, 4, 6 and 8-10 have been objected to. Claims 3 and 4 have been amended. After entry of this amendment, Claims 3, 4, 6 and 8-10 will remain pending.

Applicants would like to thank Examiner Havlin for speaking with Nicole Beeler about this application on February 20, 2008. The Examiner's time and guidance is appreciated.

Rejection of Claims 3, 4 and 10 under 35 USC §102(b)

The Examiner has rejected Claims 3, 4 and 10 under 35 U.S.C. §102(b), as allegedly being anticipated by Mishriky et al. of Egyptian Journal of Chemistry (1987).

Without conceding correctness of the Examiner's argument, but to further the prosecution of the instant application, Applicants have amended Claims 3 and 4 to require two substituents on the phenyl at the R² position. In light of these amendments, Applicants respectfully request the rejections of Claims 3, 4 and 10 under 35 USC §102(b), be withdrawn.

Objection of Claims 3, 4, 6 and 8-10

The Examiner has objected to Claims 3, 4, 6 and 8-10 as being dependent on a rejected base claim. Applicants believe they have amended Claims 3 and 4 to put them in condition for allowance. In light of these amendments, this objection should be rendered moot. Accordingly, Applicants respectfully request the objection of Claims 6 and 8-10, be withdrawn.

If a telephonic communication with the Applicants' representative will advance the prosecution of the instant application, please telephone the representative indicated below. Applicants believe no additional fees are due but the Commissioner is authorized to charge any fees required in connection with this response to Merck Deposit Account No. 13-2755.

Respectfully submitted,

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